

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RICHARD GLAWSON)	
Petitioner,)	
)	
v.)	C.A. No. 04-12199-MLW
)	
SUFFOLK COUNTY DISTRICT)	
ATTORNEY'S OFFICES)	
Respondent.)	

MEMORANDUM AND ORDER

WOLF, D.J.

May 22, 2007

Pro Se Plaintiff Richard Glawson, an inmate currently incarcerated at MCI-Cedar Junction, has filed a Motion for Temporary Restraining Order seeking to enjoin the Suffolk County District Attorney's Office from prosecuting plaintiff in case no. SUCR-10249. Glawson alleges that he was already prosecuted for the same offenses in Norfolk Superior Court and that his prosecution in Suffolk Superior Court violates the Double Jeopardy clause of Fifth Amendment of the United States Constitution.

The instant motion seeks to enjoin an action pending in Suffolk County prosecuted by the Suffolk County District Attorney's Office. Plaintiff's motion thus targets individuals who are not parties in this case. The court cannot grant a restraining order against non-parties. Should plaintiff wish to continue his motion, he must file a new case naming the Suffolk County District Attorney's Office and any relevant individuals as parties. Accordingly, plaintiff's Motion for Temporary Restraining Order (Docket No. 36) is hereby DENIED.

/s/ MARK L. WOLF
UNITED STATES DISTRICT JUDGE